

## **CASCADE COUNTY PLANNING BOARD**

PLANNING STAFF: Report and Recommendations

REGARDING: Planning Board Public Hearing on June 19, 2018

SUBJECT: Major Subdivision Preliminary Plat, Manchester Industrial Park Phase 3, located in the N 1/2 of Section 28, T. 21 N., R. 2 E., P.M.M. Cascade County, Montana

PRESENTED BY: Sandor Hopkins, Planner

### **GENERAL INFORMATION**

Applicants/Owners: Dave Campbell, Active Investors Inc.

Property Location: This proposed subdivision is Manchester Industrial Park, Phase 3, Major Subdivision, Parcel #0003041120, Geo Code 02-3137-28-1-03-01-0000 in the N 1/2, Section 28, Township 21 N., Range 2 E., P.M.M. Cascade County, Montana.

Existing Zoning: Light Industrial (I-1)

Requested Action: Preliminary Plat Approval – Subdivision Review

Purpose: To create eight (8) lots

Existing Land Use: The existing lot is undeveloped

Surrounding Land Uses: Industrial, County Government, Right of Way

### **BACKGROUND**

Manchester Industrial Park was initially approved for three phases of development on April 11, 2006. At the time, a number of approvals were sought for and granted by relevant agencies, such as the Department of Environmental Quality (DEQ) for the Certificate of Subdivision Approval (COSA) and Environmental Assessments, and Montana Department of Transportation for the approaches. The first phase was filed on March 6, 2007, and the second on August 14, 2008. The third was not filed before the expiration of County approval, and an extension was not applied for in time. While this subdivision is associated with the first two phases of Manchester Industrial Park, it is required to be reviewed again for compliance with the Subdivision and Platting Act. A number of approvals from other agencies remain effective, most importantly the COSA from DEQ, and will be filed again with the final plat.

### **SPECIAL INFORMATION**

1. The Planning Board is in receipt of an application from Dave Campbell, Active Investors Inc, to recommend approval of the major subdivision plat to the County Commissioners. This proposed subdivision, is located in the N 1/2, Section 28, Township 21 N., Range 2 E., P.M.M. Cascade County, Montana

2. Attached is a copy of the major plat, which will subdivide 19.959 acres into eight (8) lots. The lots will be sized from 4.227 acres to 0.939 acres.
3. Pursuant to 76-3-605, MCA a public hearing is required for this major subdivision.
4. There are no delinquent taxes on this property.
5. An Environmental Assessment is required pursuant to 76-3-603(1)(a), MCA (2017).
6. The project lies outside of the Height Military Overlay District.
7. The property is not located in a regulated floodplain.
8. Legal notice of this proposed subdivision was sent to surrounding property owners on June 1, 2018 and appeared in the Great Falls Tribune on June 3, 2018 & June 10, 2018.
9. Interested Agencies were provided with notification letters and a request for comments on May 29, 2018. Any comments were requested to be submitted by June 15. As of the writing of this Staff Report no comments have been received, but all future comments will be brought to the attention of the Planning Board.
10. Access to the proposed subdivision will be granted by an existing approach from Vaughn South Frontage Road and an internal road system with a cul-de-sac. The applicant has the road in place and has included easements on the plat.
11. The applicant's Traffic Impact Analysis estimates that when fully developed, this subdivision will generate an additional 7.5 trips per lot per peak hour, or 60 vehicles per peak hour for all eight lots. The developer estimates that as much as 80% of trips generated will occur during peak hours. Montana Department of Transportation issued approach permits in 2006 for the full build-out of Manchester Industrial Park that took into consideration the current proposed phase.
12. Parkland dedication is not required for this proposed subdivision pursuant to 76-3-621 (2)(b) which states "A park dedication may not be required for: subdivision into parcels that are all nonresidential."
13. The proposed subdivision will receive law enforcement services from the Cascade County Sheriff's Office and fire protection services from the Vaughn Volunteer Fire Department by the Vaughn or Manchester Fire Stations. Response time will be dictated by weather and road conditions.
14. The project is not located in the Wild Land Urban Interface as the property is adjacent to existing development to the east and west, and bounded by Interstate Highway 15 to the north and Vaughn South Frontage Road to the South. A 10,000-gallon cistern will be added to Lot 16, Phase 3, that will complement existing water storage in the subdivision for a total of 21,000 gallons for fire suppression services.

## **CONCLUSION**

This proposed subdivision meets the requirements of the Cascade County Subdivision Regulations, as well as Montana's Subdivision and Surveying Laws and Regulations.

## **RECOMMENDATIONS**

The following motions are provided for the Board's consideration:

"I move to recommend that the Cascade County Commission after consideration of the Staff Report and Findings of Fact, **deny**, a major subdivision, a Preliminary Plat of Manchester Industrial Park Phase 3;

or

"I move to recommend that the Cascade County Commission after consideration of the Staff Report and Findings of Fact, adopt said Staff Report and Findings of Fact and **approve**, a major subdivision, a Preliminary Plat of Manchester Industrial Park Phase 3, subject to the following conditions:

1. Having the developer's surveyor correct any errors or omissions on the preliminary plat;
2. Causing to be prepared certificates of title of the land in the subdivision to be recorded in conjunction with the final plat;
3. Submitting with the plat a certificate of a title abstracter showing the names of the owners of record of the land and the names of lien holders or claimants of record against the land (M.C.A. 76-3-612, 2017);
4. Causing to be recorded in conjunction with the final plat the covenants of the Major Plat that contain, at a minimum, a noxious weed control program, an erosion control program, a limit to livestock and pets, a provision prohibiting further subdividing of the lots, and that impose upon all landowners the exclusive responsibility to improve and maintain the public rights of way created by and indicated on the subdivision plat;
5. Pursuant to 7-22-2152 M.C.A. (2017), submitting a written plan to the Cascade County Weed Board specifying the methods for weed management procedures with regards to this development;
6. Causing to be recorded in conjunction with the final plat Lot Owners Association documents with sufficient authority and procedural mechanisms to administer, enforce, and fund the perpetual maintenance and discretionary improvement of the public rights of way created by and indicated on the subdivision plat;
7. Causing to be recorded on the plat a statement concerning limited public services;
8. Causing to be recorded on the plat an Agriculture Notification statement;
9. Design, construction, inspection, and certification, by a licensed professional engineer, of all internal private roads and cul-de-sacs to Cascade County Subdivision Road Specifications, as well as the purchase and installation of all required street signs and stop signs. All of the above items to be at the developer's expense and to be completed prior to the approval of the final plat;

10. The inclusion on the major plat a statement provided by Cascade County certifying the status of the internal subdivision roads;
11. The inclusion of setbacks in the covenants as required by the Cascade County Zoning Regulations;
12. Montana Department of Environmental Quality (MDEQ) Certificate of Subdivision Approval (COSA) shall be submitted with the final plat;
13. Cause to be filed with final plat a Declaration of Covenant that declares that all of the properties described shall be held, sold, and conveyed subject to the following covenant which shall run with the real property and be binding on all parties having any heirs, successors and assigns, and shall bind each owner thereof. The covenant may be revoked for any or all parcels within the subdivision by mutual consent of the owners of the parcels in question and the governing body of Cascade County;
14. Installation of one 10,000-gallon cistern, properly maintained and equipped with the proper appurtenances for the Vaughn Volunteer Fire Department to use for firefighting at all times. Providing for an easement for the placement of the cistern to be granted to Cascade County as well as the developers install and the Lot Owners Association maintain an accessible approach for access to the cistern at all times;
15. The Lot Owners Association shall be responsible for the continual maintenance of the equipment subject to adequate inspections by the Fire Chief of the Vaughn Volunteer Fire Department to insure the equipment is being properly maintained;
16. Causing to be recorded in conjunction with the final plat, an agreement requiring property owners of each subdivision tract to take part in any Rural Special Improvement District (RSID) for the reconstruction, improvement or perpetual maintenance of any county road in the vicinity used to access the major subdivision, Manchester Industrial Park Phase 3, or any other road that can be used to access these lots as determined by Cascade County, provided that all other property owners served by said road share equitable in such an RSID. This waiver shall expire 20 years after the date the final plat is filed with Cascade County. This statement of waiver shall be placed on the final plat.
17. MDEQ approval for the proposed site grading and drainage and stormwater conveyance system shall be submitted prior to final plat approval. Additionally, final engineering plans, stamped by a professional engineer in the State of Montana, shall be submitted to the Cascade County Planning Division with the final plat submittal; and
18. A copy of the MDEQ General Discharge Permit for Stormwater associated with construction activity shall be submitted prior to final plat approval, if applicable.

Attachments Findings of Fact  
Preliminary Plat – Subdivision Application

cc: Dave Campbell, Active Investors Inc  
Lyle Meeks, NCI Engineering Co  
Jim Hodges